

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

TZVI WEISS, et al.,

Plaintiffs,

Case No. 05-CV-4622 (DLI) (RML)

- against -

NATIONAL WESTMINSTER BANK PLC,

Defendant.

X

NATAN APPLEBAUM, et al.,

Plaintiffs,

Case No. 07-CV-916 (DLI) (RML)

- against -

NATIONAL WESTMINSTER BANK PLC,

Defendant.

Oral Argument Requested

X

**DECLARATION OF MARK S. GRUBE IN SUPPORT OF RENEWED MOTION OF
NATIONAL WESTMINSTER BANK PLC FOR SUMMARY JUDGMENT**

Mark S. Grube declares as follows:

1. I am an attorney admitted to practice before this Court and an associate at Cleary Gottlieb Steen & Hamilton LLP, counsel to Defendant National Westminster Bank Plc (“NatWest”). I submit this declaration in support of NatWest’s renewed motion for summary judgment. Submitted with this declaration are true and correct copies of the following documents, which are cited in NatWest’s Supplemental Statement of Additional Material Facts As To Which There Is No Genuine Issue Pursuant To Local Civil Rule 56.1.¹

¹ The abbreviated reference that appears in parentheses after each exhibit denotes how the exhibit is identified in NatWest’s Supplemental Rule 56.1 Statement.

EXHIBIT 1: Excerpts from the Sixth Amended Complaint in *Weiss, et al. v. National Westminster Bank Plc*, (“Weiss SAC”).

EXHIBIT 2: Excerpts from the Amended Complaint in *Applebaum, et al. v. National Westminster Bank Plc*, (“Applebaum AC”).

EXHIBIT 3: Excerpts from the transcript of the September 1, 2010 deposition of Matthew Levitt (“Levitt CL Tr.”).

EXHIBIT 4: Excerpts from the transcript of the August 12, 2010 deposition of Arieh Spitzen (“Spitzen CL Tr.”).

EXHIBIT 5: Letter from Gary M. Osen to Lawrence B. Friedman, dated May 11, 2016 (“May 11, 2016 Osen Ltr. to Friedman”).

EXHIBIT 6: December 2, 2013 Second Supplemental Expert Report of Ronni Shaked (“Shaked Second Supp. Rep.”).

EXHIBIT 7: Excerpts from the transcript of the February 12, 2014 deposition of Ronni Shaked (“Shaked 2/12/14 Tr.”).

EXHIBIT 8: January 31, 2014 Second Supplemental Rebuttal Expert Report of Moshe Azoulay (“Azoulay Second Supp. Reb. Rep.”).

EXHIBIT 9: Exhibit 37 to the February 12, 2014 deposition of Ronni Shaked (“Shaked Dep. Ex. 37”).

EXHIBIT 10: Exhibit 46 to the February 12, 2014 deposition of Ronni Shaked (“Shaked Dep. Ex. 46”).

EXHIBIT 11: February 18, 2011 Expert Report of Evan F. Kohlmann in *Linde, et al. v. Arab Bank* (“Kohlmann Arab Bank Rep.”).

EXHIBIT 12: Excerpts from the transcript of the February 4, 2014 deposition of Shalom Sabag (“Sabag Tr.”).

EXHIBIT 13: Excerpts from the transcript of the November 7, 2013 deposition of Temima Spetner (“Spetner Tr.”).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
December 21, 2016



Mark S. Grube